

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**FRANK J. SIERAWSKI, and KATHRYN J.  
SIERAWSKI,**

**Plaintiffs,**

**vs.**

**STATE FARM FIRE AND CASUALTY  
COMPANY,**

**Defendant.**

**8:23CV30**

**AMENDED  
CASE PROGRESSION ORDER**

This matter comes before the Court on the Plaintiff's Unopposed Motion to Amend Scheduling Order ([Filing No. 15](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Unopposed Motion to Amended Scheduling Order ([Filing No. 15](#)) is granted, and the case progression order is amended as follows:

- 1) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure remains **September 15, 2023**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **September 29, 2023**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 2) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiffs:	<b>November 15, 2023</b>
For the defendant:	<b>January 16, 2024</b>
Plaintiffs' rebuttal:	<b>February 15, 2024</b>

- 3) A status conference to discuss case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **February 21, 2024, at 10:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 4) The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **April 24, 2024**, at **11:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 5) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **April 29, 2024**.
- 6) The deadline for filing motions to dismiss and motions for summary judgment is **May 29, 2024**.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **May 29, 2024**.
- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 15<sup>th</sup> day of September, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge